

ADAMS, J.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CRAIG T. CONLEY,)	CASE NO. 5:05 CV 2338
)	
Plaintiff,)	
)	JUDGE JOHN R. ADAMS
v.)	
)	<u>MEMORANDUM OF OPINION</u>
ANTHONY R. MARTIN,)	<u>AND ORDER</u>
)	[RESOLVING DOC. 21]
Defendant.)	

This action is before the Court upon plaintiff's Motions to Strike and to Show Cause (Doc. 21). Plaintiff moves the Court: (1) for an order striking the defendant's Notice of Appeal (Doc. 19) and Emergency Motion for Stay Pending Appeal (Doc. 20); and (2) for an order directing the defendant to appear before this Court and show cause why he should not be found in contempt for having filed Docs. 19 and 20.

On October 27, 2006, the defendant filed the Notice of Appeal (Doc. 19). The appeal has recently been dismissed for want of prosecution. *Conley v. Martin*, Case No. 06-4495 (6th Cir. Dec. 18, 2006).

Plaintiff's Motions to Strike and to Show Cause (Doc. 21) are DENIED. The Court will not sanction the defendant for filing the Notice of Appeal (Doc. 19) and Emergency Motion for Stay Pending Appeal (Doc. 20) without seeking and obtaining appropriate leave of court. Hereafter, Anthony R. Martin, also known as Anthony Martin-Trigona, also known as Andy Martin shall abide by the terms of the injunction entered by this Court on September 29, 2006. *See* Memorandum of Opinion and Order (Doc. 15) at 4-5.

IT IS SO ORDERED.

December 22, 2006
Date

/s/ John R. Adams
John R. Adams
U.S. District Judge

